

The Examiner takes the position that claim 2 contradicts claim 1, from which claim 2 depends. It is respectfully submitted that the Examiner is mistaken in terms of her interpretation of claim 2. Claim 2 recites that the male and female elements are heated at the joint to a temperature at which the meltable material melts before the ring is moved from the first location to the second location. Claim 2 does not recite that the _____ material melts before moving from the first location. In one possible procedure, the ring could be several inches from the joint. The joint can then be heated to a temperature at which the meltable material melts. Thereafter, the ring is moved to the location of the joint. The ring becomes heated at the joint, and presumably as it approaches the joint from the first location. Heat is conducted to the ring. The heating to the melting point through conduction as the ring approaches the first location is not instantaneous. Thus, the ring may arrive at the joint, i.e. the second location, before any actual melting occurs. Reconsideration of the rejection under 35 USC §112 is thus requested.

In rejecting claim 1-3, 5, 7, 9-11, 13, 15-17 and 19-21, the Examiner takes the position that "the ring is not placed fully within the female element and abuts the free edge (5) of the female element and thereby placed at a location at which no appreciable portion of the meltable material resides between radially facing portions of the members (figure 2)".

It is respectfully submitted that this position is inconsistent with the express teachings of Overy. Overy describes the split ring 4 as a "close fitting silver solder split ring" (specification pg. 1, line 86). Overy further states that the split ring "is placed around the inserted tube 1 to lie in the funnel-shaped entry of the external part of the bush 5" (specification pg. 1, lines 86-89) (our emphasis).

Overy further states on the cover page in the second column that the method involves the step of "placing a split ring of solder 4 around the inserted tube to lie in the funnel-shaped entry of the external bush" (our emphasis).

Overy is unequivocal in describing that the ring of meltable material lies "in" the funnel-shaped entry, as a result of which the limitations of claims 1, 13 and 16 are not met. More specifically, claim 1 characterizes that with the ring at the second location "no appreciable portion of the meltable material resides between radially facing portions of the male element and the female element". Claim 11 states correspondingly that in the second location "no appreciable portion of the meltable material resides between radially facing portions of the male element and the female element". Claim 16 similarly states that in the second location "no appreciable portion of the meltable material resides between radially facing portions of the male element and the female element".

Accordingly, none of claims 1-3, 5, 7, 9-11, 13, 15-17 and 19-21 is anticipated by Overy. Formation of the "funnel-shaped entry" appears to be provided as a receptacle for the ring 4 in Overy. If Applicant's method were obvious, Overy could have avoided the elaborate formation process for the funnel-shaped entry to accommodate the ring 4. Thus, it is clear that none of the above claims is either taught in, or obvious from, Overy.

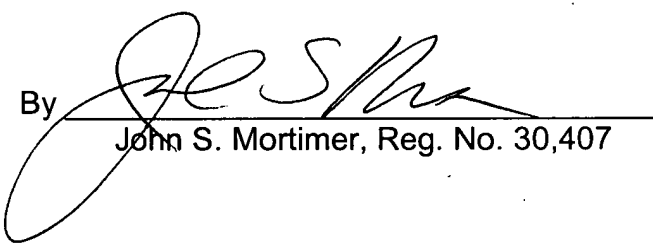
The Examiner's rejection of claims 4 and 12 as obvious over Overy is likewise traversed. The Examiner alludes to language on page 1, lines 115-119 of Overy. It is not understood how this affords the alleged teaching of bending or wrapping a split ring around a tubular element. Split rings are commonly slid from one location to the next without deformation. Accordingly, it is respectfully submitted that claims 1-12 are not obvious from Overy.

The Examiner relies on the teaching of Frederick in combination with Overy in rejecting claims 6, 8, 14 and 18. While Frederick discloses a continuous ring, the ring is not described to cooperate with elements as recited in the claims from which claims 6, 8, 14 and 18 depend.

Reconsideration of the rejection of claims 1-21 and allowance of the case are requested.

Respectfully submitted,

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